

Remarks

This paper is responsive to the Office Action dated April 1, 2004. Applicants note that the previous rejections have been withdrawn and all rejections presented in the Office Action are new.

Claim Rejections – 35 U.S.C. § 102

Kool (U.S. Patent No. 6,077,668)

The Office rejects claim 41 under 35 U.S.C. § 102(b) as being anticipated by Kool (U.S. Patent No. 6,077,668). Applicants respectfully submit that Kool does not anticipate, or render obvious, the present claims.

The Office cites Kool for its disclosure of a synthetic multimeric biopolymer, which is an oligonucleotide multimer. Applicants' claims, however, are directed to synthetic multimeric biopolymers comprising a plurality of monomeric units chosen from proteins, polypeptides, and combinations thereof. As Kool does not disclose multimeric biopolymers formed from proteins, polypeptides, and combinations thereof, it cannot anticipate the claimed invention.

Additionally, there is nothing in Kool that would lead one of ordinary skill to the present invention. Oligonucleotides are formed from nucleotides; proteins and polypeptides are formed from amino acids. Oligonucleotides are limited in the structures they can form; chains of amino acids, i.e., proteins and polypeptides, are almost unlimited and can form complex secondary and tertiary structures that allow for unique functions. A person of ordinary skill in the art would not see oligonucleotides as interchangeable with polypeptides or proteins. And there is nothing in Kool that would suggest the use of proteins or polypeptides instead of oligonucleotides.

For these reasons, Applicants respectfully submit that Kool neither anticipates nor renders obvious the claimed invention. Applicants respectfully request withdrawal of the rejection over Kool.

Whiteley et al. (U.S. Patent NO. 4,883,750)

The Office rejects claim 41 under 35 U.S.C. § 102(b) as being anticipated by Whiteley et al. Applicants respectfully submit that Whiteley et al. does not anticipate, or render obvious, the present claims.

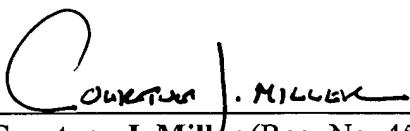
The Office cites Whiteley et al. for its disclosure of a synthetic multimeric biopolymer, which is a target probe. According to Whiteley et al., "probe" refers to an oligonucleotide. (Column 5, lines 41-44.) Applicants' claims, however, are directed to synthetic multimeric biopolymers comprising a plurality of monomeric units chosen from proteins, polypeptides, and combinations thereof. As Whiteley et al. does not disclose multimeric biopolymers formed from proteins, polypeptides, and combinations thereof, it cannot anticipate the claimed invention.

Additionally, there is nothing in Whiteley et al. that would lead one of ordinary skill to the present invention. As noted above, oligonucleotides are formed from nucleotides; proteins and polypeptides are formed from amino acids. Oligonucleotides are limited in the structures they can form; chains of amino acids, i.e., proteins and polypeptides, are almost unlimited and can form complex secondary and tertiary structures that allow for unique functions. A person of ordinary skill in the art would not see oligonucleotides as interchangeable with polypeptides or proteins. And there is nothing in Whiteley et al. that would suggest the use of proteins or polypeptides instead of oligonucleotides.

For these reasons, Applicants respectfully submit that Whiteley et al. neither anticipates nor renders obvious the claimed invention. Applicants respectfully request withdrawal of the rejection over Whiteley et al.

Respectfully submitted,

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